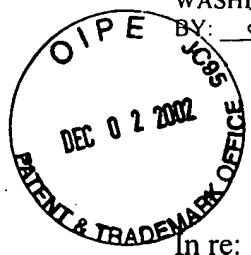


I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS FIRST CLASS MAIL IN AN ENVELOPE ADDRESSED TO: ASSISTANT COMMISSIONER OF PATENTS, WASHINGTON, DC 20231, ON THE DATE INDICATED BELOW.

BY: Pamela Wright

DATE: November 26, 2002

PATENT
BOX RCE



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Patent Application of : Group Art Unit: 1633
Darwin J. Prockop *et al.* :

Appln. No.: 09/028,395 : Examiner: Richard Schnizer, Ph.D.

Filed: February 24, 1998 :

For: ISOLATED STROMAL CELLS FOR USE : Attorney Docket
IN THE TREATMENT OF DISEASES OF : **No. 9598-32US**
THE CENTRAL NERVOUS SYSTEM : (53844-5002-00)
: AUHS-318 :
:

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PRELIMINARY AMENDMENT

This Preliminary Amendment is being filed simultaneously with a Request for Continued Examination (RCE) pursuant to 37 C.F.R. §1.114, filed in connection with the above-captioned application. This Preliminary Amendment responds to the Office Action mailed November 26, 2001 (Paper No. 24), the Interview Summary dated April 29, 2002 (Paper No. 26), and the Advisory Action mailed August 16, 2002 (Paper No. 33).

This Preliminary Amendment is being timely filed in view of the Notice of Appeal filed in the above-captioned application on May 28, 2002, which extends the time for filing a RCE, or otherwise taking action in this application, through and to July 28, 2002, and in further view of a Petition for a Fourth Month Extension of Time, being filed herewith, which extends the time for filing a RCE, or otherwise taking action in this application, to and through November 28, 2002.

In response to the Office Action dated November 26, 2001, the Interview Summary of April 29, 2002, and the Advisory Action dated August 16, 2002, kindly amend the application as follows.

In the Claims:

Please cancel claims 1-18, without prejudice to the inclusion of the subject matter contained therein in any later filed continuation or divisional application.